

**FILED**

FRANK SANES JR. STATE BAR NO.86382  
 3826 CARMONA AVE.  
 LOS ANGELES CA. 90008

2010 JAN -5 AM 11:02

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

(323) 294-4940

(323) 294-4586 FAX  
 franksanesjr@aol.com  
 ATTORNEY FOR PLAINTIFFS

BY \_\_\_\_\_

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA  
 WESTERN DIVISION

CV10 0042 GBM FMOX

FRANK SANES JR; ADONIS  
 GLADNEY

Plaintiffs,

vs.

CITIBANK; CITIGROUP;  
 Defendants, Does

1-10

Case No.:

COMPLAINT FOR DAMAGES:  
 (DEMAND FOR JURY TRIAL)

1. BREACH OF CONTRACT
2. CONVERSION
3. BREACH OF FIDUCIARY DUTY
4. INTENTIONAL INFLICTION  
OF EMOTIONAL DISTRESS
5. DEPRIVATION OF RIGHTS  
UNDER COLOR OF STATE  
LAW [42 U.S.C. §§ 1983, 1988]
6. CONSPIRACY TO INTERFERE  
WITH CIVIL RIGHTS  
[42 U.S.C §§ 1985, 1986]
7. ABUSE OF PROCESS  
[CALIFORNIA CODE OF  
CIVIL PROCEDURE § 1209  
(A)(4)]

COPY

1  
2 **Plaintiffs allege:**

3  
4 1. This is an action for deprivation of constitutional rights under  
5 color of state law brought pursuant to recodification Section 1979 of the Civil  
6 Rights Act of 1971, Title 42 United States Code, Section 1983, for remedies for  
7 defendants deprivation of plaintiffs civil rights. FRANK SANES JR. and  
8 ADONIS GLADNEY are and at all times mentioned in this complaint were, citizens  
9 of the United States, and residents of Los Angeles County California.  
10

11  
12 2. A substantial part of the events giving rise to this action occurred in  
13 the county of Los Angeles California. Venue is therefore also proper under 28  
14 U.S.C. § 1391(b).  
15

16 3. In 1992, plaintiff, Frank Sanes Jr. went into a branch of  
17 CALIFORNIA FEDERAL SAVING AND LOAN ASSOCIATION (the  
18 predecessor of defendant CITIBANK) and explained that as a member of the  
19 California Bar, he was by law (Business and Professions Code R-100) required to  
20 set up a "Client Trust Account" in connection with his legal practice. Plaintiff  
21 Sanes disclosed that he had a personal checking account with Bank of America and  
22 gave all the other requested information. The account was set up using plaintiff's  
23 SS Number (indeed plaintiff Sanes had no other tax-payer ID Number). Plaintiff  
24 signed all documents presented to him and was thereupon issued deposits receipts  
25  
26  
27

1 and checks designated "FRANK SANES JR. CLIENT TRUST ACCOUNT"  
2 (Attachment "1") In all the intervening years since 1992, plaintiff has utilized  
3 said "Client Trust Account" in connection with his law practice.  
4

5 4. In 2006, Plaintiff, Adonis Gladney filed a claim that the F.B.I. and the  
6 Microsoft Corporation had conspired to shut down his software business from  
7 which he was grossing some 1.5 million dollars per year. Gladney claimed that  
8 during the May 06 raid, the government had illegally seized some \$900,000. in  
9 merchandise; his two special construction Lamborghini automobiles; \$74,000 in  
10 cash and all the other assets it took to run his enterprise. In litigation for the return  
11 of his property, Gladney claimed that the shutdown of his business and seizure his  
12 property by the F.B.I. and Microsoft was in part motivated by racial animus  
13 because of the fact that he was black. (2:06-cv-05780-SVW-SS; 2:06-cv-06094-  
14 SVW-SS)  
15  
16  
17

18 5. In 2008, Gladney was indicted by a Federal Grand Jury for violation  
19 of the "Digital Milinnium Copyright Act" and in 2009 was convicted after a jury  
20 trial (the first of its kind in the nation Attachment "2" )  
21

22 6. Gladney's attorney filed "Notice of Appeal" with the 9<sup>th</sup> Circuit over  
23 both the "Civil" and "Criminal" case.  
24

25 7. On September 22, 2009, the Court warned Gladney and his attorney  
26 that the filing fees were past due (attachments 3 & 4)  
27

1  
2 8. On October 6, 2009 Gladney and his attorney deposited some \$8,000.  
3 into the attorney "CLIENT TRUST ACCOUNT" so as to prepare for the two up-  
4 coming "Appeals" At the time said deposits were made, no mention was made that  
5 the account was subject to a Withholding Order from the State Franchise Tax  
6 Board.  
7

8  
9 9. On October 15, 2009 Sanes received a letter from defendant Citibank  
10 that the \$8,113. in the account had been seized pursuant to an order to withhold  
11 funds from the Tax Board and that the funds would be turned over to the Board  
12 "within ten (10) business days"; and that in the case of some kind of error, he  
13 should contact the Tax Board directly (Attachment # 5) Attached to this document  
14 was an "Order to Withhold Personal Income Tax" letter from the Tax Board  
15 claiming that taxpayer "Frank Sanes " owed some \$42,638.00 for tax years "2007,  
16 2006, 2005, 2004".(Attachment #6)  
17  
18

19 10. Upon receipt of the letter, Sanes immediately called defendant  
20 Citibank and protested that he did not owe any back taxes for the referenced years  
21 and had therefore "not filed" with the Tax Board. From this first contact, Sanes  
22 protested that the \$8,000. was a client trust account, was "on its face" "exempt"  
23 and was therefore not covered by or subject to any "Withholding Order". Over the  
24 next several weeks, time and again, Sanes informed defendant bank that the funds  
25  
26  
27

1 were needed by Gladney for his Appeal and warned of the "Catastrophic"  
2 consequences to Gladney if his appeal was dismissed due to his lack of funds and  
3 that the bank should "under no circumstance" forward the \$8,000. to the State  
4 Franchise Tax Board.  
5

6 11. Immediately upon receiving the letter from defendant bank, Sanes  
7 contacted The State Franchise Tax Board and spoke with "Valerie" Sanes implored  
8 that she contact Citibank and allow the "CLIENT TRUST ACCOUNT FUNDS" to  
9 be released so as to allow Gladney to go forward with his appeal. "Valerie"  
10 demanded that the attorney "prove" that the account had not been used as a  
11 "personal checking account" and demanded that the bank statements for the "last 3  
12 or 4 months" be "faxed" to her. This was done. When the attorney again called  
13 "Valerie", she said she wanted the bank statements for the preceding 12 months.  
14 (This too was done showing that the balance in the account for the past 12 months  
15 had been \$7.65) When Sanes next called, he was told that "Valerie" was sick and  
16 would be out for a week. When Sanes spoke to the supervisor, this person said he  
17 was unable to locate the faxes sent to "Valerie" and requested that the 12  
18 statements be fax directly to him. (This was done) When Sanes next spoke to this  
19 supervisor he said he would be contacting Citibank so as to have the funds released  
20 and that Citibank should be contacted directly as to when the funds would be  
21 actually available.  
22  
23  
24  
25  
26  
27

1           12. When Sanes contacted Citibank, he was told that the funds had in fact  
2 already been sent to the Tax Board and that there was nothing further it could do.

3           13. When Sanes next spoke to "Valerie" she said she and her supervisor  
4 had both spoken to the legal department for the Franchise Tax Board, who had in  
5 turn spoken to the legal Department for Citybank. Tax Board attorneys had  
6 stressed to Citibank that "Attorney Client Trust Accounts" were "exempt" from  
7 levy and it (The Board) would return the \$8,000.00 if such was the case. Citibank  
8 attorneys told Board attorneys that there was no need to return the funds because  
9 the "Client Trust Account" had not been set up properly in the first place in 1992.  
10 That whereas the law requires a tax-payer ID. Number, this account was set up  
11 using only the Social Security Number of the attorney and was therefore "Void"  
12

13           14. During the next several weeks, Sanes spoke the multi levels of  
14 Citibank management who confirmed that the bank had told Board attorneys that  
15 the "Trust Account" had been set up improperly in 1992 and was void and that the  
16 \$8,000. need not be returned. These same officials refused Sanes's requests and  
17 demand for a copy of the original contract between itself and Sanes and other  
18 paperwork by claiming that it had all been "lost" or "destroyed".  
19

20           15. Due to being deprived of the \$8,000. Gladney was unable to secure  
21 the transcript and pursue his appeal in connection with his criminal case.  
22

23 (Attachment # 7)  
24  
25  
26  
27

1 16. Due to being deprived of the \$8,000.Gladney was unable to pay his  
2 filing fees in the civil case and therefore suffered the dismissal of his appeal.

3 (Attachment # 8)  
4

5 1.

6 BREACH OF CONTRACT  
7 (AGAINST ALL DEFENDANTS)

8 17. Plaintiffs re-allege paragraphs 1 through 16 as if fully set forth here at.

9  
10 18. In 1992, plaintiff, Frank Sanes Jr. went into defendant bank and contracted  
11 that it set up a "Client Trust Account" in conformity with California Law. Defendant  
12 bank drafted the documents and had plaintiff sign them. Defendant bank set up a "Client  
13 Trust Account" for plaintiff; issued checks purporting to be "Client Trust Account"  
14 checks and honored all such checks from 1992 until 2009 when for the first time  
15 defendant bank claimed that the account set up by it was "void" because in setting up the  
16 account the bank had used the attorney's Social Security Number rather than a "tax-payer  
17 identification number; it thereupon seized the \$8,000. in the account and turned these  
18 funds over to the State Franchise Board, allegedly for back taxes owned by "Frank  
19 Sanes"  
20  
21  
22

23 19. Defendant seized plaintiffs funds, refused to return said funds and refused to  
24 give plaintiff copies of the contract setting up the account in the first place. All of the  
25 above being in breach of the contract plaintiffs had with defendants .  
26  
27

1 WHEREFORE Plaintiff prays for damages according to proof at time of trial.

2  
3 2.

4 **CONVERSION**  
5 **(AGAINST ALL DEFENDANTS)**

6 20. Plaintiffs re-allege paragraphs 1 through 19 as if fully set forth here at.

7 21. The Plaintiffs' "client trust account funds" are exempt under federal and  
8 state law from the claims of all creditors, including a bank attempting to turn the funds  
9 over to the State Franchise Tax Board .  
10

11 22. The bank has knowingly or intentionally exerted control over the Plaintiffs'  
12 money.  
13

14 23. The bank has knowingly or intentionally exerted unauthorized control over  
15 the Plaintiffs' money.  
16

17 24 The Plaintiffs have suffered damages as the result of the bank's conversion  
18 of the "client trust account"

19 25. Due to the bank's conversion of the "client trust account", the Plaintiffs are  
20 entitled to treble damages and additional amounts pursuant to Federal and State law.  
21

22 WHEREFORE, plaintiff requests judgment as follows against defendants  
23 and each of them  
24

25 1. For general damages in an amount according to proof

26 2. For punitive damages in an amount appropriate to punish defendants  
27

1 for their wrongful conduct and set an example for others.

2 3. For compensatory damages. In an amount to be determined according to  
3 proof at trial;

4  
5 4. For reasonable attorney's fees, pursuant to 42 U.S.C. § 1988;

6 5. For costs of suit Incurred in this action; and

7  
8 6. For such other and further relief as the Court deems proper.

9 3.

10 BREACH OF FIDUCIARY DUTY  
11 (AGAINST ALL DEFENDANTS)

12 26. Plaintiffs re-allege paragraphs 1 through 25 as if fully set forth here at.

13  
14 27. In setting up the "Client Trust Account" for plaintiff, Frank Sanes Jr., in  
15 1992, defendants imposed upon themselves a "Fiduciary Duty" to look out for and  
16 protect the interests of those whose funds of placed into the "Client Trust Account".  
17 Defendants had a further duty to make sure that the accounts they set up complied with  
18 all laws mandated in setting up such accounts. Defendants had a duty to inform  
19 plaintiffs about the withholding order sent to it on September 30, 2009 prior to  
20 accepting their \$8,000 to be used to prosecute the appellate court action. Defendants  
21 had a duty to give accurate information so as to establish that the funds were not  
22 covered by the withholding order. In seizing the funds, taking a \$125.00 profit for  
23  
24  
25  
26  
27

1 themselves, and turning the balance over to the Tax Board , defendants breached their  
2 Fiduciary Duties owed to plaintiffs.

3 WHEREFORE, plaintiff requests judgment as follows against defendants  
4 and each of them  
5

- 6 1. For general damages in an amount according to proof
- 7 2. For punitive damages in an amount appropriate to punish defendants  
8 for their wrongful conduct and set an example for others.
- 9 3. For compensatory damages. In an amount to be determined according to  
10 proof at trial;  
11
- 12 4. For reasonable attorney's fees, pursuant to 42 U.S.C. § 1988;
- 13 5. For costs of suit Incurred in this action; and
- 14 6. For such other and further relief as the Court deems proper.  
15  
16  
17

18 4.

19 INTENTIONAL INFLICTION  
20 OF EMOTIONAL DISTRESS  
21 (AGAINST ALL DEFENDANTS)

22 28. Plaintiffs re-allege paragraphs 1 through 27 as if fully set forth here at.

23 29. The conduct set forth herein above was extreme and outrageous  
24 and an abuse of the authority and position of defendants and each of them. Said  
25 conduct was intended to cause severe emotional distress, or was done in  
26  
27

1 conscious disregard of the probability of causing such distress.

2 30. The foregoing conduct did in fact cause plaintiffs to suffer severe  
3 emotional distress. As a proximate result of said conduct, plaintiffs will be  
4 forever damaged.

- 5
- 6 1. For general damages in an amount according to proof
  - 7 2. For punitive damages in an amount appropriate to punish
  - 8 defendants for their wrongful conduct and set an example for
  - 9 others.
  - 10
  - 11

12 5.

13 DEPRIVATION OF RIGHTS  
14 UNDER COLOR OF STATE  
15 LAW [42 U.S.C. §§ 1983, 1988]  
(AGAINST ALL DEFENDANTS)

16 31. Plaintiffs re-allege paragraphs 1 through 30 as if fully set forth here at

17 32. Defendants and each of them did the acts and things herein alleged  
18 pursuant to and in furtherance of a conspiracy between themselves and the State  
19 Franchise Tax Board in an agreement to deny plaintiffs their rights as American Citizen  
20 because they were Black. Defendants furthered the conspiracy by cooperation with each  
21 other or lending aid and encouragement to each other and ratifying and adopting the acts  
22 of their co-defendants and the Tax Board.  
23  
24  
25  
26  
27

1 WHEREFORE, plaintiff requests judgment as follows against  
2 defendants and each of them

- 3 1. For general damages in an amount according to proof
- 4 2. For punitive damages in an amount appropriate to punish
- 5 defendants for their wrongful conduct and set an example for
- 6 others.
- 7 3. For reasonable attorney's fees pursuant to Title 42 of the United
- 8 States Code, Section 1988
- 9 4. For costs of suit herein incurred; and
- 10 5. For such other and further relief s the court deems proper.
- 11
- 12
- 13
- 14
- 15
- 16

6.

17 CONSPIRACY TO INTERFERE  
18 WITH CIVIL RIGHTS  
19 [42 U.S.C §§ 1985, 1986  
(AGAINST ALL DEFENDANTS)

20 33. Plaintiffs re-allege paragraphs 1 through 32 as if fully set forth here at.

21 34. Defendants and each of them did the acts and things herein alleged  
22 pursuant to and in furtherance of a conspiracy between themselves and the State  
23 Franchise Tax Board in an agreement to deny plaintiffs their rights as American Citizen  
24 because they were Black. Defendants furthered the conspiracy by cooperation with each  
25  
26  
27

1 other or lending aid and encouragement to each other and ratifying and adopting the acts  
2 of their co-defendants and the Tax Board.

3 WHEREFORE, plaintiff requests judgment as follows against  
4 defendants and each of them  
5

- 6 1. For general damages in an amount according to proof
- 7 2. For punitive damages in an amount appropriate to punish  
8 defendants for their wrongful conduct and set an example for  
9 others.  
10
- 11 3. For reasonable attorney's fees pursuant to Title 42 of the United  
12 States Code, Section 1988
- 13 4. For costs of suit herein incurred; and
- 14 5. For such other and further relief s the court deems proper.  
15  
16

17 7.

18 ABUSE OF PROCESS  
19 [CALIFORNIA CODE OF CIVIL  
20 PROCEDURE § 1209 (A)(4)]  
(AGAINST ALL DEFENDANTS)

- 21 35. Plaintiffs re-allege paragraphs 1 through 34 as if fully set forth here at.
- 22 36. Defendants by seizing plaintiff's trust account conspired with and forced  
23 plaintiff to provide records to the Tax Board that he had not used his client trust  
24  
25  
26  
27

1 account to conduct personal business. After plaintiff Sanes had fully complied with  
2 Tax Board demands, defendants refused to allow a release of the turned over funds.  
3  
4

5 WHEREFORE, plaintiff requests judgment as follows against defendants  
6 and each of them

- 7 1. For general damages in an amount according to proof  
8  
9 2. For punitive damages in an amount appropriate to punish defendants  
10 for their wrongful conduct and set an example for others.  
11  
12 5. For costs of suit herein incurred; and  
13 6. For such other and further relief s the court deems proper.

14 VERIFICATION

15 I am, FRANK SANES , the plaintiff in the above entitled action. I have read  
16  
17 the foregoing and know the contents thereof. The same is true of my own  
18 knowledge, except as to those matters which are therein alleged on information and  
19 belief, and as to those matters, I believe it to be true. I declare under penalty of  
20 perjury that the foregoing is true and correct and that this declaration was executed  
21 at Los Angeles CA.  
22

23  
24 1/3/10

25   
26 FRANK SANES JR  
27  
28

1 DEMAND FOR JURY TRIAL Plaintiff FRANK SANES JR hereby demands a  
2 jury trial.

3 1/3/10  
4

5 Respectfully submitted,

6 Frank Sanes Jr  
7 FRANK SANES JR  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

FRANK SANES JR  
CLIENT TRUST ACCOUNT  
3826 CARMONA AVE  
LOS ANGELES, CA 90008

137

90-7172-3222 228  
1114067059

Pay to the  
Order of

\$

Dollars



**citibank**

FRANK WELSH, ESQ. 1114067059  
3826 CARMONA AVE  
LOS ANGELES, CA 90008

For

⑆322271724⑆ 1114067059⑆ 0137

⑆1114067059⑆

ATTACHMENT # 1

CNET News  
Security

May 15, 2009 5:52 PM PDT

# DMCA conviction for seller of bogus Microsoft product keys

by Greg Sandoval

Font size

Print

E-mail

Federal authorities accused Adonis Gladney of selling counterfeit Microsoft product keys, and on Thursday he was convicted of violating the Digital Millennium Copyright Act.

Gladney, 24, is believed to be the first person convicted for DMCA violations dealing with the circumvention of security protections on software, according to Assistant U.S. Attorney Craig Missakian. Typically, product keys are used to activate software and are printed on Certificate of Authenticity labels that accompany legitimate products.

Missakian, who prosecuted the case in Los Angeles along with Assistant U.S. Attorney Wendy Wu, said the conviction is a sign that administrators at the U.S. Justice Department plan to take these kinds of DMCA violations "more seriously."



"The defendant couldn't have executed his scheme without counterfeit access keys," Missakian said. "(The keys) allowed purchasers to load software on multiple computers."

Among those who unwittingly purchased phony keys from Gladney is the United States Marine Corp. Gladney's attorney, Frank Sanes Jr., declined to comment.

Convicted of one count of violating the DMCA and three counts of mail fraud, Gladney could face several years in prison, Missakian said, adding that Gladney's prison term will likely be based on the amount of monetary damage he caused.

"At this point we're still counting," Missakian said.

ATTACHMENT # 

Gladney, who resides in Los Angeles, would advertise software licenses in large volume on his Web sites, [abovegroundssolutions.com](http://abovegroundssolutions.com) or [agsolutionsspc.com](http://agsolutionsspc.com). Customers paid their money and received licenses, which prosecutors say Gladney claimed legally covered between 25 and 750 users. Gladney would then ship them a CD loaded with software that authorities say was not designated as a retail product for sale to the general public, such as software that typically comes bundled in PCs.

"The licenses were essentially thin air," Missakian said.

The FBI, which spearheaded the investigation on behalf of the Electronic Crimes Task Force, a group that includes several law enforcement agencies, said that Gladney would obtain key codes and then tweak them so he could use them over and over.

"By repeatedly using and distributing the same key codes on multiple products," an FBI agent wrote in court documents, "Gladney is circumventing one of Microsoft's primary security features for legitimate product activation in violation of (trafficking in unauthorized access devices)."

According to the FBI, Gladney managed to turn his illegal enterprise into a cash cow while he was barely 20. Gladney told agents he had earned more than \$3 million. Following his arrest, officials seized \$74,038 and two custom-built Lamborghinis.



Greg Sandoval covers media and digital entertainment for CNET News. He is a former reporter for *The Washington Post* and the *Los Angeles Times*. E-mail Greg, or follow him on Twitter at <http://twitter.com/sandoCNET>.

## Related

---

### From CNET

[Pirated Windows 7 RC builds botnet](#)

[Kanye to Twitter: I want my name back!](#)

[RealNetworks' suffers net loss as sales drop](#)

### From around the web

[Iran urges Obama not to comment on US jo... Wave3.com - Latest News](#)

Digg  
Delicious  
Reddit  
Yahoo! Buzz  
Facebook

#### Recent posts from Security


[DMCA conviction for seller of bogus Microsoft product keys](#)  
[McAfee to buy whitelisting vendor Solidcore](#)  
[U.K. police swamped by surveillance TV data](#)  
[Facebook members hit by another phishing scam](#)  
[Pirated Windows 7 RC builds botnet](#)  
[Microsoft patches critical PowerPoint hole](#)  
[UC Berkeley computers hacked, 160,000 at risk](#)  
[Yet another reason why Macs need security software](#)

#### Related

##### From CNET

[Pirated Windows 7 RC builds botnet](#)  
[Kanye to Twitter: I want my name back!](#)  
[RealNetworks' suffers net loss as sales drop](#)

##### From around the web

[Iran urges Obama not to comment on US jo... Wave3.com - Latest News](#)  
[The Caps' Keys to Victory Washington Post Blogs - D.C. S...](#)  
More related posts powered by  Sphere

Add a Comment (Log in or register) 19 comments

by NickH May 16, 2009 1:19 AM PDT

What's the USMC doing buying licences off a 20 year old kid?

Reply to this comment

by BrindllesRbn May 16, 2009 7:01 AM PDT

Don't ask don't tell

by audubon1946 May 16, 2009 7:14 AM PDT

I haven't purchased any illegal activation keys, but I do believe I was shafted by a seller on eBay when I purchased what was suppose to be a new copy of Windows XP Pro. My first and most obvious clue was when the disc arrived and it was not the Microsoft signature holographic label. One can report these things to eBay and they do deny the seller access, but within a couple of hours a "new" seller is up auctioning the same thing. How is one to know when you see the Microsoft bright packaging that inside is a burned copy with a bogus key?

by pentest May 16, 2009 9:21 AM PDT

The DOD gave a billion dollar arms contract to a 18 year old and his stripper girlfriend a few years back.

by yacubuma May 16, 2009 4:31 AM PDT

And they say, crime doesnt pay. If he gets out of jail, with a million still in his pocket (which he probably will), is a good deal. Most people will never earn that kind of money in a lifetime.

Reply to this comment

by NickH May 16, 2009 5:15 AM PDT

"he had earned more than \$3 million. Following his arrest, officials seized \$740,38 and two custom-built Lamborghinis."

He's 21, has a couple of years of the good life, now he's had his assets seized, and is maybe looking at 2-5 years of anal-rape, and record when he gets out. I don't pity him, but I don't think he's got away with much either.

by kojacked May 16, 2009 10:00 AM PDT

@NickH: LOL! I wish so many more deserving people got what he's going to get for the next couple of years. A pretty young man will go far in prison! The gift that keeps on giving!

by BrrrrllatesRbn May 16, 2009 7:00 AM PDT

Use Linux with WINE.

Reply to this comment

by shootfirst May 16, 2009 7:32 AM PDT

Don't we have better things to do than to prosecute some idiot who sells to other idiots something that does no actual harm? Why don't we spend our time figuring out what to do with overcrowded prisons. I sure the heck do not want to pay for this dbag to go to prison.

Reply to this comment

by cpopken May 16, 2009 8:18 AM PDT

Theft is theft, regardless if you think it is a harmless crime. It doesn't really matter how big or evil you think the corporation is, they still have the right to protect their product.

by contentcreator--2008 May 16, 2009 8:37 AM PDT

No actual harm? The \$3M of licenses should have been worth how much? \$10M? Microsoft is laying people off due to revenue shortfall --- that \$10M is people's jobs. So ask those laid-off people if there was "no actual harm" as they wait in the unemployment line. Better yet, let this idiot do the asking, stand well back, and see what happens.

by pentest May 16, 2009 9:24 AM PDT

Even if MS got the \$10 million, they would still be laying off those people.

MS isn't laying them off because they can't pay them, they are doing it because they are bracing to lose billions in the near future.

\$10 million is chump change to MS.

Nice try on the outrage.

"Theft is theft, regardless if you think it is a harmless crime. It doesn't really matter how big or evil you think the corporation is, they still have the right to protect their product."

Then MS can sue him into oblivion. It should not be a criminal matter.

by SlimGem May 16, 2009 9:54 AM PDT

"It should not be a criminal matter."

Yeah, and poor Bernie Madoff was simply misunderstood and shouldn't have been prosecuted either. Let those stupid investors sue him instead and lessen the burden on our overcrowded prisons.

by pentest May 16, 2009 9:19 AM PDT

The DOD gave a billion dollar arms contract to a 18 year old and his stripper girlfriend a few years back

Reply to this comment

by pentest May 16, 2009 9:21 AM PDT

In other news, a rapist is getting released early to help relieve congestion in the prison system...

Reply to this comment

by kojacked May 16, 2009 10:01 AM PDT

This is what the DMCA was for and not that crap the RIAA and MPAA are trying to pull like having ISP police and protect their content.

Reply to this comment

by unknown unknown May 16, 2009 10:47 AM PDT

Anti-circumvention needs to be repealed.  
Reply to this comment

by paulerj May 16, 2009 2:48 PM PDT

While I think the kid ought to be punished, what I'd like to know is why it takes sooooo many people to handle such a simple crime. Heck, they knew how to reach the kid and Microsoft could verify the validity of the keys. Yet, they had to use several people in the FBI, work together with the "Electronic Crimes Task Force", and use two prosecutors? This is a good example of prudent use of tax dollars?

Reply to this comment

by monkeyfun14 May 16, 2009 4:44 PM PDT

Do you realize how hard it is to locate a e-criminal?

Add a comment

Log in or create an account to post a comment. OR Log in with your Facebook account

Comment  SUBMIT

Popular discussions on CNET:

1. Crave giveaway of the week. Win a year of Slacker Radio Plus

May 15, 2009 5:00 AM PDT

(292 recent comments)

2. Pirated Windows 7 RC builds hotnet

May 14, 2009 5:58 AM PDT

(76 recent comments)

3. Playing with Windows 7's Slingbox-like feature

May 15, 2009 4:00 AM PDT

(73 recent comments)

4. Sony Pictures CEO hates the Internet

May 16, 2009 4:53 PM PDT

(71 recent comments)

5. Widespread Google outages rattle users

May 14, 2009 8:51 AM PDT

(71 recent comments)

The posting of advertisements, profanity, or personal attacks is prohibited. Click here to review our Terms of Use.

advertisement

## Most Popular

1. Playing with Windows 7's Slingbox-like feature
2. Widespread Google outages rattle users
3. Muscle power saves the day for Hubble camera
4. Google networking error caused outage
5. Windows 7: Moving beyond Vista



Molly C. Dwyer  
Clerk of Court

Office of the Clerk  
**United States Court of Appeals for the Ninth Circuit**  
95 Seventh Street  
Post Office Box 193939  
San Francisco, California 94119-3939



(415) 355-8000

September 22, 2009

---

CA9 Docket No.: 09-56531  
Agency Number: 2:06-cv-05780-SVW-SS  
Short Title: USA v. Adonis Gladney

---

Dear Counsel:

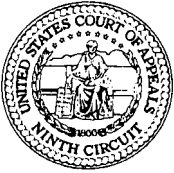
A copy of your notice of appeal/petition has been received in the Clerk's office of the United States Court of Appeals for the Ninth Circuit.

The U.S. Court of Appeals docket number shown above has been assigned to this case. You must indicate this Court of Appeals docket number whenever you communicate with this court regarding this case. Please furnish this docket number immediately to the court reporter if you place an order, or have placed an order, for portions of the trial transcripts. The court reporter will need this docket number when communicating with this court.

**The due dates for designating and filing the reporter's transcript, if applicable, filing the parties' briefs and otherwise perfecting the appeal have been set by the enclosed "Time Schedule Order," pursuant to applicable FRAP rules. These dates can be extended only by court order. Failure of the appellant to comply with the time schedule order will result in automatic dismissal of the appeal.**

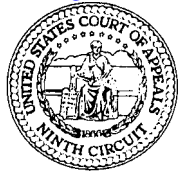
Payment of the \$455.00 U.S. Court of Appeals docket fee is past due. Appellant shall correct this deficiency within 14 days. Failure to respond to this order within the time set out will result in the dismissal of the appeal for failure to prosecute. The fee is payable to the Clerk of the District Court, Tax Court or the Bankruptcy Appellate Panel for an appeal, and to the Clerk of this court in an agency case or original proceeding.

**No papers may be filed with the court until the docket fee requirement has been satisfied. If the docket fee is not paid within ten days of the filing of the notice of appeal, dismissal proceedings will be commenced. 9<sup>th</sup> Cir. R. 42-1.**



Molly C. Dwyer  
Clerk of Court

Office of the Clerk  
**United States Court of Appeals for the Ninth Circuit**  
95 Seventh Street  
Post Office Box 193939  
San Francisco, California 94119-3939



(415) 355-8000

September 22, 2009

---

CA9 Docket No.: 09-50469  
Agency Number: 2:08-cr-00686-RHW-1  
Short Title: USA v. Adonis Gladney

---

Dear Counsel:

A copy of your notice of appeal/petition has been received in the Clerk's office of the United States Court of Appeals for the Ninth Circuit. The U.S. Court of Appeals docket number shown above has been assigned to this case. You must indicate this Court of Appeal docket number whenever you communicate with this court regarding this case. Please furnish this docket number immediately to the court reporter if you place an order, or have placed an order, for portions of the trial transcripts. The court reporter will need this docket number when communicating with this court.

Payment of the \$455.00 U.S. Court of Appeals docket fee is past due. The fee is payable to the Clerk of the District Court, Tax Court or the Bankruptcy Appellate Panel for an appeal, and to the Clerk of this court in an agency case or original proceeding.

**No papers may be filed with the court until the docket fee requirement has been satisfied. If the docket fee is not paid within ten days of the filing of the notice of appeal, dismissal proceedings will be commenced. 9<sup>th</sup> Cir. R. 42-1.**

The following information is being provided in an attempt to answer the most frequently asked questions regarding the appellate process. Please review this information very carefully. For convenience, we use the term "Circuit Rules" instead of "Rules of the United States Court of Appeals for the Ninth Circuit" and "FRAP" instead of "Federal Rules of Appellate Procedure."

Enclosed with this letter is an appellate processing schedule along with a case processing checklist to help you monitor the progress of your case.

**ATTACHMENT # 4**

*Citicorp Data Systems Incorporated  
100 Citibank Drive  
San Antonio, TX 78245-3214*



October 15, 2009

Frank Sanes Jr  
3826 Carmona Ave Apt.  
Los Angeles, CA 90008

Reference # 092801325418 /JVP/ACCOUNT # 1114067059

Dear Client:

Citibank, N.A. ("Citibank") was served with an Order to Withhold funds by the Franchise Tax Board. A copy of which is enclosed for your reference. To comply with the Order, we have segregated the amount of \$8,113.65 from your account. This amount includes a legal processing fee of \$125.00. These funds, less the legal processing fee, will be turned over to the Franchise Tax Board within ten (10) business days from the date of service in compliance with applicable law.

If you feel that this process was served in error, you may contact the Franchise Tax Board, as Citibank is required to comply with the Order. The Franchise Tax Board can be reached at the number printed on the enclosed Order.

Please forward any replies to this letter to:  
Citibank Legal Services Intake  
One Court Square, 10th Floor  
Long Island City, NY 11120

Sincerely,

Restraining Order/Subpoena Processing Unit



STATE OF CALIFORNIA  
FRANCHISE TAX BOARD  
PO BOX 2952  
SACRAMENTO CA 95812-2952  
Telephone: (916) 845-7357  
Fax: (916) 845-9748

842VG A-443

**ORDER TO WITHHOLD  
PERSONAL INCOME TAX**

**PART 3 – FURNISH TO  
TAXPAYER**

Date: 09/30/09

70472650000

CITIBANK, FSB  
LEVY PROCESSING DEPT  
3296 SACRAMENTO ST  
SAN FRANCISCO CA 94115

Tax Year(s): 2007,2006,2005,2004

ORDER NUMBER: 627173931846916603

**AMOUNT DUE**

**\$42,638.12**

Taxpayer's Name and Address:

FRANK SANES

3826 CARMONA AVE  
LOS ANGELES CA 90008-1013

AN ORDER TO WITHHOLD HAS BEEN ISSUED to the addressee, shown above, under authorization of Sections 18670, 18672, and 18674 of the California Revenue and Taxation Code, to enforce payment of an amount due for California Personal Income Tax.

The addressee has been instructed to deduct and withhold the amount due, shown above, from any credits or payments of any nature due, owing and unpaid to you. Such credits and payments include, but are not limited to, deposits in financial institutions, declared dividends, rents, royalties, deposits in vacation or holiday trust funds, Individual Retirement Accounts, Keogh Accounts, and other personal property in the possession of or controlled by the addressee.

The amount withheld by the addressee will be paid to this department and applied to your account for the tax years noted above. You should determine the amount withheld by the addressee and, if it is less than the amount due, you should forward payment of the remaining unpaid balance immediately to avoid further collection action. Please make your check or money order payable to the FRANCHISE TAX BOARD, attach it to this notice, and mail it to the Franchise Tax Board address shown at the top of this page.

**SPECIAL INFORMATION CONCERNING TAXPAYER RIGHTS**

If we levy upon your account in error, we can reimburse you for charges incurred as a result of our error. To receive reimbursement, you must write to us within 90 days from the date of the levy.

If immediate full payment of the amount due will create an undue hardship, or if you have already paid the amount due, or if the amount is not due, contact us immediately. Please telephone the number shown at the top of this form for account information. You should have this notice with you when you call.

If your bank account includes any money from Social Security or Supplemental Security Income, please contact us immediately at the telephone number at the top of this page.

In keeping with the California Taxpayers' Bill of Rights, we have a Taxpayer Advocate who reviews cases where taxpayers have been unable to resolve their problems with us through regular channels. You can contact the Taxpayer Advocate by mail: Taxpayer Advocate Bureau, PO Box 157, Rancho Cordova CA 95741-0157. Telephone: (800) 883-5910. Website: [www.ftb.ca.gov](http://www.ftb.ca.gov).

**ATTACHMENT # 6**

**From:** cacd\_ecfmail@cacd.uscourts.gov  
**To:** ecfnef@cacd.uscourts.gov  
**Subject:** Activity in Case 2:08-cr-00686-RHW USA v. Gladney Transcript (CR)  
**Date:** Wed, Nov 4, 2009 3:12 pm

---

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**

**Notice of Electronic Filing**

The following transaction was entered on 11/4/2009 at 3:10 PM PST and filed on 11/4/2009

**Case Name:** USA v. Gladney

**Case Number:** 2:08-cr-686

**Filer:**

**Document Number:** 115

**Docket Text:**

TRANSCRIPT filed as to Defendant Adonis Gladney for proceedings held on May 11, 2009 at 1:35 PM. Court Reporter : Deborah K. Gackle, phone number (213) 620-1149. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through COURT REPORTER DEBORAH K. GACKLE OR PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 11/25/2009. Redacted Transcript Deadline set for 12/5/2009. Release of Transcript Restriction set for 2/2/2010.(Gackle, Deborah)

**2:08-cr-686-1 Notice has been electronically mailed to:**

Frank Sanes , Jr [franksanesjr@aol.com](mailto:franksanesjr@aol.com)

Wendy T Wu [wendy.wu@usdoj.gov](mailto:wendy.wu@usdoj.gov)

**2:08-cr-686-1 Notice has been delivered by First Class U. S. Mail or by fax to :**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**E:\RT051109 Re-read\_Gladney Pretrial FINAL.pdf

**Electronic document Stamp:**

[STAMP cacdStamp\_ID=1020290914 [Date=11/4/2009] [FileNumber=8719901-0]  
[715bc5bbb2636bef785518b410e81f52397e2e1a32f016076147c5a53f2c8ee931e7  
c9f03da552ff531c6d12f6ba238e551a5dca7841d8dcdedaa63de4305736]]

**ATTACHMENT # 7**

Case: 09-56531 11/12/2009 Page: 1 of 1 DktEntry: 7128075

**FILED**

**UNITED STATES COURT OF APPEALS**

**NOV 12 2009**

**FOR THE NINTH CIRCUIT**

**MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS**

**UNITED STATES OF AMERICA,**

**Plaintiff - Appellee,**

**v.**

**ADONIS GLADNEY,**

**Defendant - Appellant.**

**No. 09-56531**

**D.C. No. 2:06-cv-05780-SVW  
Central District of California,  
Los Angeles**

**ORDER**

On October 1, 2009, this court ordered appellant, within 21 days, either to pay the filing fees or move to proceed in forma pauperis. The order warned appellant that failure to pay the fees or to move to proceed in forma pauperis would result in the automatic dismissal of the appeal by the Clerk of the Court. To date, appellant has not complied with the court's order. Accordingly, this appeal is dismissed for failure to prosecute. *See* 9th Cir. R. 42-1.

This order served on the district court shall act as and for the mandate of this court.

**FOR THE COURT:**

**Molly Dwyer  
Clerk of Court**

**By: Kathryn E. White  
Motions Attorney/Deputy Clerk  
9th Cir. R. 27-7  
General Orders/Appendix A**

KW/MOATT

**ATTACHMENT # 8**

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge Consuelo B. Marshall and the assigned discovery Magistrate Judge is Fernando M. Olguin.

The case number on all documents filed with the Court should read as follows:

**CV10 - 42 CBM (FMOx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

☒ **Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

☐ **Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

☐ **Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

## Name &amp; Address:

FRANK SANES JR. BAR NO. 86382  
 3826 CARMONA AVE  
 LOS ANGELES CA. 90008  
 (323) 294-4940; FAX (323) 294-4586  
 franksanesjr@aol.com

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

FRANK SANES JR.; ADONIS GLADNEY

CASE NUMBER

PLAINTIFF(S)

CV10 0042

v.

CITIBANK; CITIGROUP

SUMMONS

DOES 1-10

DEFENDANT(S).

TO: DEFENDANT(S): CITIBANK; CITIGROUP

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, FRANK SANES JR., whose address is 3826 CARMONA AVE.; LOS ANGELES CA. 90008. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: JAN - 4 2010By: CHRISTOPHER POWERS

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself) <input checked="" type="checkbox"/> FRANK SANES JR; ADONIS GLADNEY	<b>DEFENDANTS</b> CITIBANK; CITIGROUP  <div style="text-align: center; font-size: 1.2em;">DOES 1-10</div>
<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)  FRANK SANES JR. BAR NO. 86382 (323) 294-4940 3826 CARMONA AVE LOS ANGELES CA. 90008	<b>Attorneys (If Known)</b>

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.)  <table style="width:100%;"> <tr> <th></th> <th>PTF</th> <th>DEF</th> <th></th> <th>PTF</th> <th>DEF</th> </tr> <tr> <td>Citizen of This State</td> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	PTF	DEF		PTF	DEF																				
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4																				
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

  
**IV. ORIGIN** (Place an X in one box only.)  
☒ 1 Original Proceeding   
 ☐ 2 Removed from State Court   
 ☐ 3 Remanded from Appellate Court   
 ☐ 4 Reinstated or Reopened   
 ☐ 5 Transferred from another district (specify):   
 ☐ 6 Multi-District Litigation   
 ☐ 7 Appeal to District Judge from Magistrate Judge
   
  
**V. REQUESTED IN COMPLAINT:** **JURY DEMAND:** ☒ Yes    ☐ No (Check 'Yes' only if demanded in complaint.)  
**CLASS ACTION under F.R.C.P. 23:** ☐ Yes    ☒ No    **MONEY DEMANDED IN COMPLAINT: \$** \_\_\_\_\_
   
  
**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
 SEIZURE OF CLIENT TRUST ACCOUNT UNDER COLOR OF STATE LAW, 42 U.S.C. 1983
   
  
**VII. NATURE OF SUIT** (Place an X in one box only.)
 

<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE / PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1950) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSD Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
---	--	--	--	---	--

FOR OFFICE USE ONLY: Case Number: \_\_\_\_\_

CV10 0042

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEETVIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

## Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

## IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
LOS ANGELES	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
LOS ANGELES	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
LOS ANGELES	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved.

X. SIGNATURE OF ATTORNEY (OR PRO PER): Frank J. Jones Jr. Date 1/3/10

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

## Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))